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VIA ELECTRONIC MAIL (Netburn_NYSDChambers@nysd.uscourts.gov)

Hon. Sarah Netburn
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 650
New York, NY 10007

Re: Dedra De La Rosa v. 42nd Apple LLC, et al.

Dear Judge Netburn:

We represent defendant Dave & Buster's of New York, Inc. ("Dave & Buster's") in this Americans With Disabilities Act matter. We write to appraise the Court as to the status of settlement discussions with the Plaintiff in this matter.

As this Court is aware, the parties have attended two settlement conferences in this matter and have made significant progress in resolving the issues. However, Plaintiff identified an entirely new concern at the October 30th conference that requires significant investigation by Dave & Buster's before a full response can be provided. This is because before the October 30th mediation, all of the parties' efforts were dedicated to investigating and negotiating a compromise of the previously-raised allegations. Since the new issues were raised, on October 30, Dave & Busters has diligently investigated them. However, given the substantially changed nature of the case, the parties would very much benefit from an additional stay in order to fully explore the possibility of resolving the new allegations amicably. If helpful to the Court, the parties would be happy to provide any additional detail about the content of the plaintiff's new concerns.

Accordingly, Plaintiff has consented to our request that the Court stay the above-referenced matter for 60 days so that Dave & Buster's can investigate the Plaintiff's new allegations and respond to the same; the stay would also provide the Plaintiff with time to evaluate any settlement proposals made in response. The parties are available to discuss if the Court has any questions.

Respectfully submitted,

Sarah E. Bell / E

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